IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 30072 of 2007(E)

PETITIONER:

P.ISMAYIL, S/O.SRI.YOUSAF,
AGED 31 YEARS, RESIDING AT POKKALATHIL HOUSE,
P.O.MARAYAMANGALAM, NELLAYA (VIA), PIN-679 356.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI
SMT.R.BEENA

RESPONDENTS:
---

1. STATE OF KERALA REPRESENTED BY CHIEF SECRETARY, SECRETARIAT, GOVT. OF KERALA, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, COLLECTORATE, PALAKKAD DISTRICT.

3. THE ASSISTANT ENGINEER, BLOCK DEVELOPMENT OFFICE, PATTAMBI.

4. THE BLOCK DEVELOPMENT OFFICER, BLOCK DEVELOPMENT OFFICE, PATTAMBI BLOCK, PALAKKAD DISTRICT.

BY ADV. SRI. I.V. PRAMOD, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC , J

==========

W.P.(C). NO. 30072 OF 2007

==========

Dated this the 14th day of November, 2007.

JUDGMENT

The prayer in this writ petition is to direct the respondents to pay the amount due to the petitioner in Exts.P6 and P7 with future interest. The whole case of the petitioner is setup on on Exts.P6 and P7. According to the petitioner, by Ext.P7 the respondents have accepted the liability of Rs.216140/- and it is that liability which is sought to be enforced in this writ petition.

2. The learned Government Pleader on instructions submit that Exts.P6 and P7 were only drafts which were not approved by the 4th respondent as he was not satisfied with the work. On going through Exts.P6 and P7, I notice that these documents do not contain the signature of the Block Development Officer, Pattambi and it is these documents which are to be enforced through this writ petition. Apart from the fact that these do not contain the signature of the author, the respondents do not admit the correctness of the documents also. For these reasons I am not in a position to entertain the prayer in the writ petition. Without prejudice to the claims in the writ petition and the contentions raised, I dismiss the writ petition.

ANTONY DOMINIC, JUDGE.

rv